

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 ITC-01 COME-00 L-03 TRSE-00

AID-05 CEA-01 CIAE-00 FRB-03 INR-07 NSAE-00

EPG-02 SP-02 STR-04 LAB-04 SIL-01 OMB-01 IO-13

/067 W

-----181908Z 065110 /40

R 181701Z MAY 77

FM AMEMBASSY BONN

TO SECSTATE WASHDC 8374

INFO USDA/FAS WASHDC

USMISSION EC BRUSSELS

AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY THE HAGUE

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E.O. 11652: N/A

TAGS: EAGR, GW

SUBJECT: TARIFF GROUPING OF IMPORTED FRESH CRANBERRIES
AND BLUEBERRIES

REF: BONN 08223

BEGIN SUMMARY: EMBASSY TODAY TRANSMITTED REQUEST TO
FEDMINFINANCE TO TAKE ALL NECESSARY STEPS TO ASSURE
THAT IMPORTED US CRANBERRIES AND IMPORTED US TYPE
BLUEBERRIES BE CLASSIFIED UNDER 0808 B AND C RESPECTIVE-
LY. THIS WOULD ASSURE APPLICATION OF THE GATT-BOUND
ZERO RATE FOR CRANBERRIES AND THE 4 PERCENT RATE FOR
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BLUEBERRIES. FRG OFFICIALS AND BONN EMBASSY SUGGEST
AND REGARD IT AS VERY HELPFUL FOR USMISSION TO APPROACH
EC COMMISSION ON THIS MATTER IN SIMILAR FORM. END
SUMMARY.

1. FOLLOWING IS THE FULL TEXT OF OUR LETTER TO FEDMIN
FINANCE (SEE PARA 2 REFTTEL): QUOTE SUBJECT: TARIFF

CLASSIFICATION OF FRESH CRANBERRIES AND BLUEBERRIES.
AS A FOLLOW-UP OF THE ABOVE REFERENCED MEETING, WE
KINDLY ASK YOU TO TAKE ALL NECESSARY STEPS TO ASSURE
THAT IMPORTED VACCINIUM TYPE FRUIT OTHER THAN VACCI-
NIUM VITIS IDAEA HAVING A RED OR LIGHT RED COLOR BE
GROUPED UNDER 0808 B; AND IMPORTED VACCINIUM TYPE FRUIT
OTHER THAN VACCINIUM MYRTILLUS OF BLUE OR DARK BLUE
COLOR BE GROUPED UNDER 0808 C.

JUSTIFICATION OF OUR REQUEST. A) THE EUROPEAN COMMUNITY
GRANTED THE US AND CERTAIN OTHER THIRD COUNTRIES A
GATT-BINDING FOR IMPORTS OF FRESH CRANBERRIES AT ZERO
RATE UNDER TARIFF POSITION 0808 B. (SEE OFFICIAL
ENGLISH TRANSLATION OF ANNEX B TO THE PROTOCOL TO THE
GENERAL AGREEMENT ON TARIFFS AND TRADE, FINAL ACT
AUTHENTICATING THE RESULTS OF THE 1964-67 TRADE CONFE-
RENCE, GENEVA, JUNE 30, 1967.) "CRANBERRIES" IS THE
COMMON ENGLISH WORD FOR "CULTIVATED" COWBERRIES OR
LINGONBERRIES. THE BOTANICAL NAME FOR CRANBERRIES IS
VACCINIUM MACROCARPON.

FURTHERMORE, A GATT-BINDING EXISTS FOR IMPORTS OF
FRESH BLUEBERRIES WHICH - ACCORDING TO THE PRESENTLY
APPLICABLE FRG AND EC TARIFF SCHEDULE - AMOUNTS TO
4 PERCENT. AS THE US EXPORTS ONLY CULTIVATED FRESH
CRANBERRIES AND BLUEBERRIES, A LIMITATION OF THE GATT-
BOUND TARIFF POSITIONS 0808 B AND C TO
V.VITIS IDAEA AND V. MYRTILLUS RESPECTIVELY WOULD BE
REGARDED AS DIRECTED AGAINST THE INTEREST OF THE
UNITED STATES OF AMERICA. UNTIL RECENTLY SHIP-
MENTS OF FRESH VACCINIUM TYPE BERRIES FROM THE US
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INTO THE FRG WERE REPORTEDLY IMPORTED UNDER THE
TARIFF POSITIONS 0808 B AND C.

B) A GROUPING OF BOTH WILD AND CULTIVATED

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INFO OCT-01 EUR-12 ISO-00 ITC-01 COME-00 L-03 TRSE-00
AID-05 CEA-01 CIAE-00 FRB-03 INR-07 NSAE-00
EPG-02 SP-02 STR-04 LAB-04 SIL-01 OMB-01 IO-13
/067 W

-----181909Z 065096 /40

R 181701Z MAY 77
FM AMEMBASSY BONN
TO SECSTATE WASHDC 8375
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AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY THE HAGUE

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VACCINIUM TYPE BERRIES WOULD ALSO CORRESPOND IN GENERAL
WITH THE PRESENT TRADE PRACTICE AND THE USE OF THIS
TYPE OF FRUIT.

C) THE PROPOSED MEASURES WOULD CONTINUE TO PROVIDE
THE GERMAN FRUIT PROCESSING INDUSTRY WITH REASONABLY
PRICED RAW PRODUCTS AND ALSO HAVE A POSITIVE EFFECT ON
THE RESPECTIVE CONSUMER PRICES.

ATTACHED WE ARE TRANSMITTING A PROPOSAL FOR A REVISED
WORDING OF THE FRG/EC TARIFF SCHEDULE INTERPRETATION.
WE WOULD GREATLY APPRECIATE YOUR KIND CONSIDERATION
OF OUR APPLICATION.

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ATTACHMENT: PROPOSAL FOR A REVISED WORDING OF THE EC
TARIFF SCHEDULE INTERPRETATION FOR VACCINIUM TYPE
BERRIES.

CHAPTER NO. 0808, PART II INTERPRETATION OF THE
TARIFF SCHEDULE OF THE ECONOMIC COMMUNITY.

B. INCLUDES FRUIT OF THE TYPE VACCINIUM, HAVING A RED
OR LIGHT RED COLOR, CULTIVATED OR NOT CULTIVATED, EG.
V.VITIS IDAEA, V.MACROCARPON, V. OXYCOCCUS.

C. INCLUDES FRUIT OF THE TYPE VACCINIUM HAVING A BLUE
OR DARK BLUE COLOR, CULTIVATED OR NOT CULTIVATED,
E.G. V. MYRTILLUS, V.ANGUSTIFOLIUM, V. LAMARKII, V.
ALTOMONTANUM, V. CORYMBOSUM, V. ASHEI.

NUMBER F 1 SHALL BE ELIMINATED AND THE NUMBERS OF THE

FOLLOWING PARAGRAPHS BE CHANGED ACCORDINGLY. UN-
QUOTE.

2. FEDMINFINANCE UPON ARRIVAL OF OUR LETTER WILL FOR-
MALLY APPROACH THE EC COMMISSION ASAP REQUESTING THE
NECESSARY CHANGES OF THE OFFICIAL EXPLANATORY NOTES
TO THE EC TARIFF SCHEDULE. FEDMINFINANCE OFFICIALS,
HOWEVER, STRONGLY SUGGESTED THAT THEIR ACTION IN
BRUSSELS BE SUPPORTED BY A REQUEST FILED BY THE US
MISSION TO THE EC COMMISSION.
STOESSEL

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Control Number: n/a
Copy: SINGLE
Sent Date: 18-May-1977 12:00:00 am
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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
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Disposition Reason:
Disposition Remarks:
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Litigation History:
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Subject: TARIFF GROUPING OF IMPORTED FRESH CRANBERRIES AND BLUEBERRIES
TAGS: EAGR, GE, US
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vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/980a6e91-c288-dd11-92da-001cc4696bcc
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